

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
JANUARY 13, 2011
TOWN MANAGER'S OFFICE
6:30 p.m.**

CALL TO ORDER: Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

At the request of Mayor Norkavage everyone remained standing for a moment of silence in memory of the shooting victims that occurred in Tucson, Arizona.

ROLL CALL:

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	STEVEN BURG	PRESENT
3 RD DISTRICT	THOMAS S. NOVAK, JR.	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	JOHN N. PASQUALE, JR.	PRESENT

Town Manager, John Giles – Present
Town Solicitor, Edward McNally – Present
Chief Scott McLaren – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Mayor and Council considered the approval of the December 9, 2010 Council Meeting Minutes.

ACTION: A motion was made by Councilwoman Personti to approve the Minutes of the December 09, 2010 Council Meeting with no corrections. The motion was seconded by Councilman Novak.

VOTE:

1st District Councilman Jaremchuk – Yes, 2nd District Councilman Burg – Yes, 3rd District Councilman Novak – Yes, 4th District Councilman McKewen – Abstained, 5th District Councilwoman Personti – Yes, 6th District Councilman Pasquale – Yes, Mayor Norkavage – Yes

VOTE:

6 – In Favor, 0 – Opposed, 1 – Abstained

Motion carried

Councilman McKewen abstained from the vote due to being absent at the December 9, 2010 Council Meeting.

OLD BUSINESS:

None

NEW BUSINESS:

Mayor and Council considered for First and Second Reading of Revised Ordinance 526.

An Ordinance amending Chapter 182 (Rental Permits) by adding to the definition of a rental unit “any dwelling which is not occupied by the legal property owner or their immediate family and is occupied by anyone other than the legal property owner or their immediate family member.”

ACTION: A motion was made by Councilman Burg to adopt for First and Second Reading of Revised Ordinance 526. The motion was seconded by Councilman Novak.

Councilman Burg explained Ordinance 526 was originally brought up last month but has since been revised to exclude the words “immediate family”.

VOTE:

7 – In Favor, 0 – Opposed

Motion carried

Mayor Norkavage gave an update on the Police Pension Meeting that was held last night. Councilman Jaremchuk and Councilman Burg also attended the meeting.

Councilman Jaremchuk reported they received the figures from the State Municipal Plan as to what it would cost to put our officers under that plan, which the initial contribution would be \$486,096.00 as of January 1, 2011 with an ongoing liability of 13.9% as of this fiscal year and would be going up to 14.53% as of 2012. He further stated that it was agreed upon the best place to get the money was from the existing plan. According to Parker Elmore it would reduce the shortfall in that plan by \$500,000.00. An Ordinance will be presented at next months' meeting in order to put the officers into the new plan. Once the Ordinance is in place they would then address the shortfall in the old plan.

Mayor Norkavage mentioned the shortfall in the old plan is approximately \$1.4 million.

Councilman Jaremchuk stated at this time, the shortfall is \$1.9 million but in moving the officer's to the new plan, then it would be reduced to \$1.4 million.

Councilman Burg referred to the officer's who are presently getting a pension, and questioned if contributions would also needed to be made for the officer's already receiving their pension along with making contributions to the new officer's.

The response to Councilman Burg's question was yes.

At this time a lengthy discussion occurred regarding the topics that were discussed at last night's Pension Meeting and the next steps that they will consider taking.

Town Manager, John Giles recommended having certain individuals meet to discuss particular topics regarding the Police Pension Plan. He further mentioned Town Solicitor, Edward McNally would need to look into the issues that need to be addressed.

ACTION: A motion was made by Councilman Jaremchuk to allocate \$260,000.00 to the present fund immediately. The motion was seconded by Councilman Burg.

VOTE:

0 – In Favor, 7 – Opposed

Motion denied

DEPARTMENTAL REPORTS:

Code:

Mr. Giles reported December and January have been slow months regarding citations being issued. He further mentioned for Mayor and Council to consider adopting the 2009 Property Maintenance Code and ICC Codes.

Mayor Norkavage reported Waste Management failed to pick-up trash along Olga Road today, but she already put a call in making them aware of this issue.

Finance:

Mr. Giles reported the large move in this department is to come up with a Comprehensive Packet about the tax bills, liens, foreclosures, when to file, etc., and to put all this in writing and have it finalized. He further mentioned a Standard Operating Procedure will be put together and be brought before Mayor and Council for their approval.

Public Safety:

Chief McLaren reported on the following:

- Greg Sheldon has been promoted to Sergeant after being Acting Sergeant for the past year.
- Significant arrests by Officer Mitchell and PFC Sowden regarding traffic violations that ended in seizures of suspected drug money, weapons, drugs and a vehicle. He further reported of a robbery that occurred on Dover Avenue basically from a drug deal gone bad.
- The evidence room was completed and the majority of evidence was moved into the new room. He commended Lt. Workman, Sgt. Smith and Linda Sommermann for completing this task.
- PFC Phil Young slipped and fell on ice while searching for a suicidal missing person and injured his wrist in the process.
- The Police Department assisted the Elsmere Fire Department with the Christmas parade on December 4, 2010 and the Christmas Tree Lighting on December 3, 2010, which resulted in positive feedback.
- On January 12, 2011 there was a shooting that occurred at 32 Alvil Road where the resident tried to commit suicide but slipped in the process at which time the gun went off spraying pellets into the wall. The resident did sustain minor injuries and was taken to the hospital where he will then be evaluated.
- He is working on a yearly report on all the stats to differentiate where they were and where they are now and goals and objectives for this year.
- Nuisance letters were sent out to problem properties and will be focusing on properties that have had three (3) strikes.

Councilman Pasquale asked about the issue that recently occurred at 14 Alfred Avenue.

Chief McLaren wasn't aware of the issue at this time but would further look into it.

Councilman Burg asked Chief McLaren about the decrease in cell phone violations.

Chief McLaren stated the decrease in cell phone violations is partially due to it now being a State law and more citizens are abiding by the law of not talking on cell phones while driving.

Councilman Burg asked Chief McLaren if each shift would have their own Sergeants now that there are two (2) of them.

Chief McLaren replied the Sergeants will be on full rotating shifts.

Chief McLaren asked Mayor and Council if they would like to see anything more in the yearly report.

Mayor and Council suggested to see more information regarding nuisance properties and out of state tagged vehicles included in the yearly report.

Public Works:

Mr. Giles reported on the following:

- The department has been very active with the snowstorms.
- One of the trucks is definitely out of commission; therefore, it may go to auction or be junked.
- Assistant Town Manager, Ms. Tina Law was involved in an accident while plowing when the plow truck she was operating was struck by another vehicle. She went before the Accident Review Board and has been cleared of any wrongdoing.
- The department is also getting ready for spring time by making sure all equipment is in working order.
- The department has also been working on the drain situations.

Mayor and Council commended the Public Works Department as well as the other employees for a job well done with the plowing during the snowstorms.

Town Manager's Report:

Mr. Giles reported on the following:

- In regards to CRS, if residents are in the flood plain they can get up to an additional 15% discount.
- Work on Rodman Road regarding flood issues.
- Mandatory curbside recycling starts in September 2011 and is planning on applying for the State funding grant money for the cost of the recycling bins which could cost approximately \$150,000.00.

Councilman Burg requested Mr. Giles to shop around for garbage contracts, regarding additional costs for recycling and reduction in recycling that would be done all in the same day.

Mr. Giles stated he would get back to Mayor and Council regarding the aforementioned request. He further explained the Town is in a three (3) year contract with Waste Management and he would prefer to continue working with them by doing an addendum to the current contract.

Town Manager's Report continued:

- Working on the election so Mayor and Council may see an amendment on the time issue with the filing deadline being the first Monday in February, and come the second Monday in February if only one candidate filed by then, according to the Department of Elections, the elections would be cancelled.

ITEMS SUBMITTED BY MAYOR AND COUNCIL:

Councilwoman Personti strongly expressed her feelings in regards to Mr. Giles contradicting himself in an email she received from him and the current lack of communication regarding certain issues.

Mr. Giles stated when he was made aware that Councilwoman Personti did not get notification of the meeting, he corrected it by confronting the individual responsible for it and asked the individual why it didn't happen and the individual stated they made a mistake.

Councilwoman Personti suggested getting into a procedure of sending out mass emails once a week showing what the scheduled events are for that particular week.

Mr. Giles stated he doesn't feel a weekly email should be sent out since the information would have already been sent out once.

Councilwoman Personti also strongly expressed her concerns in regards to Mayor and Council receiving specific information, not only the Mayor being made aware of certain information. She further stated this has since been corrected.

Conversation continued regarding why certain attachments sent by email cannot be opened by certain individuals while others have no problem opening the attachments that are sent.

At this time Councilwoman Personti and Mr. Giles got into a rather heated discussion pertaining to certain information Councilwoman Personti was not notified about especially once she found out what the meeting was in reference to and feels the current levels of communication is unacceptable.

Mr. Giles stated he was not responsible for not notifying Councilwoman Personti, and as soon as he found out the mistake was made, the person responsible for it was dealt with. He further stated he had nothing to do with it since he was on vacation when it occurred.

Mayor Norkavage intervened between Councilwoman Personti and Mr. Giles arguing. She clarified what the issue was and stated the problem had been acknowledged and addressed. She further stated they should move forward and if anyone has a reoccurrence of an issue to let it be known so that it can be addressed.

Councilman Jaremchuk suggested if a constituent comes to Town Hall with a suggestion, then the Council person who represents that particular individual should be made aware of the situation or recommendation.

Mr. Giles announced they will make every effort to better communicate with Mayor and Council.

Councilwoman Personti stated she appreciates the fact they can argue and vent and also has the utmost respect for Mr. Giles and appreciates the work that he does.

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Councilman Pasquale to adjourn. The motion was seconded by Councilman Novak.

VOTE:

7 – In Favor, 0 – Opposed

Motion carried

The meeting was adjourned at approximately 7:47 p.m.

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

DEBORAH A. NORKAVAGE
MAYOR

JOANN I. PERSONTI
SECRETARY